

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JONATHAN DIMARCO,

21-cv-8391 (JGK)

Plaintiff.

ORDER

- against -

SJP PROPERTIES and QUALITY BUILDING
SERVICES,

Defendants.

JOHN G. KOELTL, District Judge:

The plaintiff has filed an application for a default judgment. Copies of the plaintiff's application and supporting papers are attached to this Order.


The defendants should respond to the plaintiff's application for a default judgment by March 21, 2022. The plaintiff may file a reply by March 31, 2022. If the defendant does not file a response, a default judgment may be entered against them.

The plaintiff is directed to mail a copy of this Order and its attachments to the last known addresses of the defendants. The plaintiff is further directed to file proof of service of this Order and its attachments on the docket. If the plaintiff fails to file proof of service, the application for a default judgment may be denied.

The Clerk is directed to mail a copy of this Order to the plaintiff and to note service on the docket.

SO ORDERED.

Dated: New York, New York
February 28, 2022



John G. Koeltl
United States District Judge

UNITED STATE DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK -----X JONATHAN DIMARCO Plaintiff(s) -Against SJP PROPERTIES and QUALITY BUILDING SERVICES Defendant(s) -----X	21 CV 08391 (JK) DEFAULT JUDGMENT
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This action having been commenced on October 8, 2021, by the filing of a Summons and Complaint, and copies of the same having been served on the Corporate Defendants SJP PROPERTIES and Defendant QUALITY BUILDING SERVICES via the New York Secretary of State in Albany on November 21, 2021, and proof of service having been filed on November 30, 2021, and neither Defendant having answered the Complaint, and the time for answering the Complaint having expired; it is hereby:

ORDERED, ADJUDGED AND DECREED: That the Plaintiff have judgment against the Defendants in the amount of \$158,450.98 in lost income, emotion damages in the amount of \$15,000.00, and disbursements in the amount of \$400.00, amounting to a total of \$173,850.98.

Dated: New York, New York
 February __, 2021

ENTERED:

 John G. Koeltl
 United States District Judge

UNITED STATE DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	
-----X	
JONATHAN DIMARCO	
Plaintiff(s)	21 CV 08391 (JK)
-Against	STATEMENT OF DAMAGES
SJP PROPERTIES and QUALITY BUILDING SERVICES	
Defendant(s)	
-----X	

Lost income damages from July 17th, 2019 – February 3rd, 2022..... \$158,450.98
Emotion Damages\$15,000.00
Costs and Disbursements:
Clerk's fee \$400.00
Total (as of February 3rd, 2022) \$173,850.98

UNITED STATE DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK -----X JONATHAN DIMARCO Plaintiff(s) -Against SJP PROPERTIES and QUALITY BUILDING SERVICES Defendant(s) -----X	21 CV 08391 (JK) ORDER TO SHOW CAUSE FOR DEFAULT JUDGMENT
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Upon the reading and filing of the Affidavit of JONATHAN DIMARCO, in support of Plaintiffs application for an order to show cause, submitted by and through Plaintiffs Pro Se, dated the _____ day of February 2021; and all the exhibits attached hereto, it is hereby:

ORDERED, that Defendants SJP PROPERTIES and QUALITY BUILDING SERVICES., shall respond in writing to this Order to Show Cause for a default judgment by _____. If the defendants fail to respond by that date, judgment may be entered against them, and the defendants will have no trial. The plaintiff may reply by _____. The plaintiff shall serve a copy of this Order to Show Cause by _____ and shall file proof of service by _____. No personal appearances are required in connection with this Order to Show Cause.

Dated: New York, New York
February ___, 2021

ENTERED:

John G. Koeltl
United States District Judge

UNITED STATE DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK -----X JONATHAN DIMARCO Plaintiff(s) -Against SJP PROPERTIES and QUALITY BUILDING SERVICES Defendant(s) -----X	21 CV 08391 (JK) AFFIDAVIT IN SUPPPORT OF REQUEST FOR A CERTIFICATE OF DEFAULT
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I, JONATHAN DIMARCO, affirm the truth of the following under penalties of perjury:

1. I am the Plaintiff in the above-entitled action. As such, I am familiar with all of the facts and circumstances set forth herein.
2. This action was commenced pursuant to the Americans With Disabilities Act and similar state laws.
3. This action was commenced by filing of the Summons and Complaint on October 8, 2021. A true and correct copy of the Summons and Complaint is attached hereto as **"Exhibit A."**
4. On November 21, 2021, Defendant SJP PROPERTIES and Defendant QUALITY BUILDING SERVICES was served with the Summons and Complaint, via secretary of state. A true and correct copy of the Affidavit of Service is attached hereto as **"Exhibit B."**
5. On November 30, 2018, the undersigned filed, the Affidavits of Service for Defendant SJP PROPERTIES and Defendant QUALITY BUILDING SERVICES.

6. Pursuant to the Court's Order, Defendants were initially required to Answer and/or move against the Complaint by December 14th, 2021, however that time was extended by the Court to January 14th, 2021.
7. To date, Defendants have failed to Answer and/or move against the Complaint and have not requested an extension of the time to do so.
8. The time for Defendant SJP PROPERTIES and Defendant QUALITY BUILDING SERVICES to Answer or otherwise move with respect to the Complaint herein has expired.
9. Defendants have not Answered or otherwise moved with respect to the Complaint, and the time for Defendants to Answer or otherwise move has not been extended.
10. To the best of my knowledge, (i) none of the Defendants are infants or incompetent and (ii) none of the Defendants are presently in the military service of the United States.

WHEREFORE, Plaintiff JONATHAN DIMARCO respectfully requests the default of Defendants be noted and a certificate of default be issued.

Dated: New York, New York
February 7, 2022


JONATHAN DIMARCO

Sworn to me the ____
day of February 2022


NOTARY PUBLIC

CARMELA ANN CORRENTE
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. NO 01CO0768260
Qualified In Bronx County
Commission Expires August 31 2025

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X

Jonathan Dimarco

Plaintiff(s),

- against -

Sjp properties / Quality building services

Defendant(s),

-----X

21 Civ. 08391 (Jk)

**CLERK'S CERTIFICATE
OF DEFAULT**

I, RUBY J. KRAJICK, Clerk of the United States District Court for

the Southern District of New York, do hereby certify that this action was commenced on
10/8/2021

with the filing of a summons and complaint, a copy of the summons and
complaint was served on defendant(s) Sjp properties / Quality building services

by personally serving Sue Zouky, Office of secretary of state of ny,

and proof of service was therefore filed on 12/15/2021, **Doc. #(s)** 10.

I further certify that the docket entries indicate that the defendant(s) has not filed an
answer or otherwise moved with respect to the complaint herein. The default of the
defendant(s) is/are hereby noted.

Dated: New York, New York

January 20, 2022

RUBY J. KRAJICK
Clerk of Court

By: K. mango
Deputy Clerk